

## **Chapter 14.72 Comprehensive Plan Amendment Procedure.**

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### **14.72.010 Purpose.**

The City may find instances in carrying out its comprehensive plan review function where it is necessary to amend all or part of the Comprehensive Plan's text and/or maps. The purpose of this chapter is to provide the procedural steps needed to govern any amendments to the Comprehensive Plan text and/or maps.

### **14.72.020 Initiation of Text and Map Amendments.**

- A. The City's Comprehensive Plan shall be subject to continuing evaluation and review by the City. Any amendment or revision to the Comprehensive Plan shall conform to RCW Chapter 36.70A.
- B. Comprehensive plan amendments may be initiated by citizens, by the Planning Commission, City staff, City Council, or any other interested persons including applicants, hearing examiners and staff of other agencies. The proposed amendments or revisions to the Comprehensive Plan shall be docketed and considered by the City no more frequently than once every year except that amendments may be considered more frequently under the following circumstances:
  1. The initial adoption of a subarea plan.
  2. The adoption or amendment of a shoreline master program under the procedures set forth in RCW Chapter 90.58.
  3. The amendment of the capital facilities element of a comprehensive plan that occurs concurrently with the adoption or amendment of a City budget.
- C. All amendment proposals shall be considered by the City concurrently so the cumulative effect of the various proposals can be ascertained. However, the City may adopt amendments or revisions to its Comprehensive Plan that conform with RCW Chapter 36.70A whenever an emergency exists or to resolve an appeal of a Comprehensive Plan filed with the Growth Management Hearings Board or with a court.
- D. The City shall periodically review the densities permitted within its boundaries, and to the extent to which urban growth has occurred within the City according to the timetable established by the Growth Management Act. The City shall revise its projected population figures a minimum of every 10 years to accommodate the urban growth projected to occur in the City for the succeeding 20 year period.

#### **14.72.030 Criteria for Amendment Procedure.**

The criteria staff uses to make recommendations to the City Council on whether or not to consider an amendment to the comprehensive plan include the following:

- A. Conditions in the vicinity of the proposal have markedly changed since the subject property was designated, and under those changed conditions, a plan amendment is within the public interest.
- B. The proposal is limited in scope and can fit within the Planning Department's work program for the current year.
- C. The proposal is correcting an inconsistency within the Plan or is a clarification of the Plan.
- D. The public interest is served by dealing with the proposal at the present time rather than later.
- E. The proposal bears a substantial relation to the promotion and preservation of public health, safety and welfare.
- F. The proposal will result in long-term benefits to the community as a whole and is in the best interest of the community.

#### **14.72.040 Filing of Text and Map Amendments.**

Written requests to amend the Comprehensive Plan, together with all relevant supportive or explanatory material as determined to be applicable by staff in the application packet, shall be submitted to the Planning Department. A deposit shall also be made in accordance with the adopted fee resolution; notwithstanding the deposit, the applicant shall be responsible for all costs related to the comprehensive plan amendment request. The City shall establish a start and ending date for the call for acceptance of written requests, and such shall be advertised in accordance with the City's noticing requirements. All plan amendment requests shall be docketed for possible consideration for inclusion in the Comprehensive Plan. The docketed list of proposed amendments shall be presented to the Planning Commission within 90 days of the ending date. The Planning Commission shall make a recommendation to the City Council on whether or not to move forward on consideration of docketed amendments within 30 days.

#### **14.72.050 Consideration of Comprehensive Plan Amendments**

- A. The City Council, after a recommendation from staff and the Planning Commission, can recommend that an amendment be processed in the current amendment cycle or that the amendment remain on the docket list for future consideration, or that the amendment be denied further consideration.
- B. The City Council's decision as to the disposition of the amendment shall be final and is not appealable.

#### **14.72.060 Preparation of Plan Text and Map Amendments.**

It is the responsibility of the Planning Commission to review and oversee the preparation of all materials to express, explain, or depict the various aspects or elements of the text or map amendments including that documentation required by the State Environmental Policy Act. The Planning Commission also has the responsibility to approve all findings of fact and recommendations which are to be transmitted to the City Council for their consideration.

#### **14.72.070 Review of Text and Map Amendments.**

The City may request other City boards or agencies or other governmental entities to provide comments and recommendations on comprehensive plan amendments. The comments and recommendations must be submitted to the City by the date of the Planning Commission's hearing unless the City grants an extension of time. In proposing any changes to its Comprehensive Plan, the City shall notify the Department of Community, Trade and Economic Development (CTED) of its intent to adopt such amendments at least 60 days prior to final

adoption. The City shall transmit a complete and accurate copy of its Comprehensive Plan to CTED in accordance with State law.

**14.72.080 Letters of Support or Objection.**

Letters of support or objection to a proposed comprehensive plan amendment may be filed by any interested party. The letters must be filed by the date of the public hearing unless an extension of time is granted.

**14.72.090 Processing of Text and Map Amendments.**

- A. The City may use any or all of the following techniques to provide for early and continuous public participation in the development and/or amendments of the City's comprehensive plan:
  - 1. Opportunity for written comments;
  - 2. Public meetings;
  - 3. Newsletter articles;
  - 4. Consideration of and response to public comments.
- B. The Planning Commission shall make its findings of fact and recommendation on a proposed amendment at public hearing. The Commission shall make one of four decisions in considering text and map amendments:
  - 1. Approval in the form submitted for public hearing;
  - 2. Approval with changes;
  - 3. Approval in part;
  - 4. Disapproval.

**14.72.100 Planning Commission Public Hearing and Transmittal of Decision.**

Staff shall transmit the Planning Commission's recommendation to the City Council as part of a staff report to the City Council.

**14.72.110 City Council Action.**

- A. Upon receipt of the Commission's findings and recommendations on the Comprehensive Plan and map amendments, the Council shall consider the proposed amendment at a public meeting, holding a public hearing(s) prior to a decision. The Council in its consideration shall make one of the following decisions:
  - 1. Approval in accordance with the findings and recommendations submitted by the Planning Commission;
  - 2. Approval with modifications;
  - 3. Refer all or part of the Plan text or map amendment proposal back to the Planning Commission;
  - 4. Disapprove.
- B. If the Council's decision is to refer the amendment request back to the Planning Commission, the Council must specify which matters it wishes reconsidered by the Planning Commission. The final form and content of the Comprehensive Plan is determined by the City Council.

**14.72.120 Notice of Public Hearing.**

Notice of all public hearings will be made in accordance with State and local laws.

**14.72.130 Final Filing with City Clerk.**

The Comprehensive Plan together with any and all amendments shall be provided to the City Clerk to be placed in a permanent file and made available for public inspection.

**14.72.140 Appeals of Decisions.**

All requests for review by the Growth Management Hearings Board shall be initiated by filing a petition in accordance with RCW Chapters 36.70A, 90.58 or 43.21C. Only parties of record may initiate an appeal of the City Council's final decision.